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Attorneys for Plaintiff
MOHAMED MAJED CHEHADE REFAI

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

MOHAMED MAJED CHEHADE REFAI,
Plaintiff,

vs.

UNITED STATES OF AMERICA; PETER
LAZARO, in his individual capacity; CITY OF
NORTH LAS VEGAS; CITY OF NORTH LAS
VEGAS POLICE DEPARTMENT; MARK
PARESI, in his individual capacity; DOES 1
through 25 inclusive, in their individual
capacities; and DOES 26 through 60 inclusive,
in their individual and official capacities,
Defendants.

CASE NO. 2:08-cv-01096-PMP-PAL

**REQUEST FOR EXCEPTION TO
ATTENDANCE REQUIREMENT**

1 Plaintiff, through his counsel, respectfully requests an exception to the Court's
2 requirement that he appear in person at the settlement conference scheduled to commence
3 at 1:30 p.m. on January 24, 2013. Plaintiff assures the Court that his counsel of record
4 will be present for the settlement conference and will have full authority to settle this
5 matter.
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7 As this Court may already know, this case stems from Mr. Chehade's December
8 2006 trip from Frankfurt, Germany to Las Vegas, Nevada. Mr. Chehade intended to
9 enter the United States under the visa waiver program available to German citizens, but
10 he was denied entry and instead detained at the North Las Vegas Detention Center for
11 four days and three nights before being returned to Germany. The government never
12 explained why Mr. Chehade was being denied entry and Mr. Chehade was not charged
13 with any crime by the United States.
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15 Since then, Mr. Chehade has applied for and been denied a non-immigrant visa on
16 two occasions. On March 10, 2008, he applied for a non-immigrant visa for permission
17 to enter the United States temporarily and was denied that visa at the American Consulate
18 in Frankfurt, Germany on March 13, 2008. Mr. Chehade re-applied for a visa to enter the
19 United States at the American Consulate in Frankfurt on November 30, 2010, and was
20 denied that visa on July 21, 2011. In light of these visa denials, it is highly unlikely that
21 Mr. Chehade will be able to appear in person at the January 24 settlement conference.
22

23 Mr. Chehade requests that the Court permit his counsel of record, Rohit Singla
24 and Jenny Hong of Munger, Tolles & Olson LLP, to represent him at the settlement
25 conference. He has discussed settlement with them and given them full authority to settle
26 this matter. Mr. Chehade will be in Germany on the day of the settlement conference and
27 with the nine-hour time difference, the settlement conference will begin at 10:30 p.m. for
28

1 Mr. Chehade. Given Mr. Chehade's advanced age, it would be difficult for Mr. Chehade
2 to participate by telephone, but if the Court thinks it would be helpful, Mr. Chehade can
3 be on telephone standby during the settlement conference.
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6 DATED: January 2, 2013


MUNGER, TOLLES & OLSON LLP

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8 By: _____


JENNY H. HONG

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10 Attorneys for Plaintiff
MOHAMED MAJED CHEHADE REFAI

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12 IT IS SO ORDERED this 11th day
13 of January, 2013.

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16 Peggy A. Leen
United States Magistrate Judge
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